

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE OF DISTRICT OF ALABAMA
NORTHERN DIVISION**

ARMA JEAN HARRIS,)
)
Plaintiff,)
)
vs.) **CASE NO. 2:05cv633-D**
)
R.J. MECHANICAL, INC.) **JURY TRIAL REQUESTED**
)
Defendants.)

AMENDED COMPLAINT

COMES NOW the Plaintiff in the above styled matter, by and through counsel, and hereby submits this Amended Complaint at law against the Defendants, and as grounds therefor shows unto the Court as follows:

STATEMENT OF THE PARTIES

1. Plaintiff, Arma Jean Harris, is over the age of nineteen (19) years and is a resident citizen of Barbour County, Alabama.
2. Defendant, R.J. Mechanical, Inc. is an Alabama corporation licensed to do business in the State of Alabama.

STATEMENT OF THE FACTS

3. Plaintiff began her employment with Beaulieu Group, LLC in 1986 and at the time of the accident in question was a winder operator.
4. On June 1, 2003, Plaintiff was working within the line and scope of her employment with the Defendant when part of an air conditioning cover, duct work, debris and water fell over fifty (50) feet onto her head and neck. Plaintiff was taken to Lakeview Community Hospital by her supervisor for treatment.
5. Thereafter, Plaintiff was taken from Lakeview Community Hospital to Flowers

Hospital in Dothan, Alabama where she was diagnosed with a severe head injury.

6. Plaintiff subsequently treated with First Med of Dothan complaining of back and neck pain as well pressure in her eyes. She was diagnosed with blunt force trauma to the head and neck and was admitted to Southeast Alabama Medical Center on June 4, 2003 for observation.
7. While at Southeast Alabama Medical Center, Plaintiff underwent several x-rays, CT scans and MRI tests. After said tests had been performed, Plaintiff was diagnosed with post concussion syndrome with amnesia.
8. Plaintiff has continued to experience problems with her head and neck and has received treatment for same from several physicians.
9. As of the filing of this Complaint, Plaintiff continues to suffer from said condition.

COUNT I
NEGLIGENCE, WANTONNESS AND/OR WILLFULLNESS

10. Plaintiff re-alleges all prior paragraphs as if set out here in full.
11. Defendant R.J. Mechanical, Inc. owed Plaintiff a duty to ensure that the air conditioning unit, cover and duct work that they installed was properly secured and would not fall or cause injury to the Plaintiff or anyone else working beneath it.
12. Defendant R.J. Mechanical, Inc. negligently, wantonly, and/or willfully failed to exercise its duties and obligations as described herein above.
13. Defendant R.J. Mechanical, Inc. breached said duty by negligently, wantonly and/or willfully installing said system in a fashion resulting in said system falling upon and injuring the Plaintiff.

14. As a direct result of Defendant R.J. Mechanical Inc.'s negligence, wantonness, and/or willfulness, the Plaintiff suffered severe physical injuries, loss of enjoyment of life, mental anguish and emotional distress.

WHEREFORE, the above premises considered, the Plaintiff prays that this Honorable Court award her compensatory and punitive damages in an amount which the jury deems fit, plus costs of court.

RESPECTFULLY SUBMITTED this the 15th day of November, 2005.

JURY TRIAL REQUESTED ON ALL COUNTS SO TRIABLE.

s/ Robin C. Freeman (FRE050)
Attorney for Plaintiff
Hall, Smith, Prim & Freeman, P.A.
360 North Oates Street
P.O. Box 1748
Dothan, Alabama 36302
Tel: 334-793-3610
Fax: 334-671-1843
Email: rfreeman@hallsmith.com

Please Serve Defendant At:
R.J. Mechanical, Inc.
c/o Jennifer H. Sandlin
3153 Bellwood Drive
Birmingham, Alabama 35243